

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3435

To amend title 18, United States Code, to prohibit the transfer of a firearm or ammunition to a juvenile, and the unsupervised and unauthorized possession of a firearm or ammunition by a juvenile.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 3, 1993

Mr. SKAGGS (for himself, Mr. MORAN, Mr. FRANK of Massachusetts, Mr. NADLER, Mr. STARK, Mr. WHEAT, Mr. YATES, Mr. GUTIERREZ, Mrs. MALONEY, Mr. UNDERWOOD, Mr. GIBBONS, Mr. FARR of California, Ms. BYRNE, Mr. CLAY, Mr. MATSUI, Mr. FOGLIETTA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. MANN, Mrs. LOWEY, Mr. COYNE, and Mr. REYNOLDS) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to prohibit the transfer of a firearm or ammunition to a juvenile, and the unsupervised and unauthorized possession of a firearm or ammunition by a juvenile.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Juvenile Firearm Reg-  
5       ulation Act of 1993”.

1 **SEC. 2. PROHIBITION AGAINST THE TRANSFER OF A FIRE-**  
2 **ARM OR AMMUNITION TO A JUVENILE.**

3 (a) PROHIBITION.—Section 922 of title 18, United  
4 States Code, is amended by adding at the end the  
5 following:

6 “(s) It shall be unlawful for any person to transfer  
7 a firearm or ammunition to an individual who the person  
8 knows or has reasonable cause to believe has not attained  
9 18 years of age, unless a parent or legal guardian of the  
10 individual has consented to the transfer.”.

11 (b) PENALTIES.—Section 924(a) of such title is  
12 amended—

13 (1) in paragraph (1), by striking “paragraph  
14 (2) or (3) of”; and

15 (2) by adding at the end the following:

16 “(5)(A) Except as provided in subparagraph (B),  
17 whoever knowingly violates section 922(s) shall be fined  
18 under this title, imprisoned for not more than 1 year, or  
19 both.

20 “(B) In the case of the first conviction of a person  
21 under section 922(s) with respect to each of 2 or more  
22 firearms, and in the case of the second or subsequent con-  
23 viction of a person under such section, the person shall  
24 be fined under this title, imprisoned for not more than  
25 5 years, or both.”.

1 **SEC. 3. PROHIBITION AGAINST THE UNSUPERVISED AND**  
2 **UNAUTHORIZED POSSESSION OF A FIREARM**  
3 **OR AMMUNITION BY A JUVENILE.**

4 (a) PROHIBITION.—Section 922 of title 18, United  
5 States Code, as amended by section 2(a) of this Act, is  
6 amended by adding at the end the following:

7 “(t)(1) It shall be unlawful for a juvenile to possess  
8 a firearm or ammunition.

9 “(2) Paragraph (1) shall not apply to the possession  
10 of a firearm or ammunition by a juvenile—

11 “(A) who is under the supervision of an adult  
12 who is not prohibited by Federal, State, or local law  
13 from possessing a firearm; or

14 “(B) while engaged in hunting, target shooting,  
15 or other sporting activities, or in a course of instruc-  
16 tion, or while transporting the firearm or ammuni-  
17 tion to or from the site of such activities, to the ex-  
18 tent that the possession is specifically authorized by  
19 or under State law.

20 “(3) For purposes of this subsection:

21 “(A) The term ‘juvenile’ means a person who  
22 has not attained 18 years of age.

23 “(B) The term ‘adult’ means a person who has  
24 attained 18 years of age.”.

1 (b) PENALTIES.—Section 924(a) of title 18, United  
2 States Code, as amended by section 2(b) of this Act, is  
3 amended by adding at the end the following:

4 “(6) Whoever knowingly violates section 922(t) shall  
5 be fined under this title, imprisoned for not more than  
6 1 year, or both.”.

7 (c) TECHNICAL AMENDMENTS.—(1) Section 5031 of  
8 such title is amended by inserting “or a violation by such  
9 a person of section 922(t)” before the period.

10 (2) Section 5037(c) of such title is amended by add-  
11 ing at the end the following: “For purposes of paragraphs  
12 (1)(B) and (2)(B), in the case of a juvenile found to be  
13 a juvenile delinquent by reason of a violation of section  
14 922(t) that is the first such violation by the juvenile, the  
15 maximum term of imprisonment that would be authorized  
16 if the juvenile had been tried and convicted as an adult  
17 is deemed to be 6 months.”.

18 (d) APPLICABILITY.—The amendments made by this  
19 section shall apply to conduct engaged in after the 18-  
20 month period that begins with the date of the enactment  
21 of this Act.

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